

REMARKS

The Examiner is thanked for the due consideration given the application. This amendment is being filed concurrently with a Request for Continued Examination.

Claims 24-40 are pending in the application. Acknowledgement of the allowability of claims 25-29 is noted with appreciation. Claims 24, and 30-32 have been amended to better set forth the claimed invention. Claims 33-40 are newly presented.

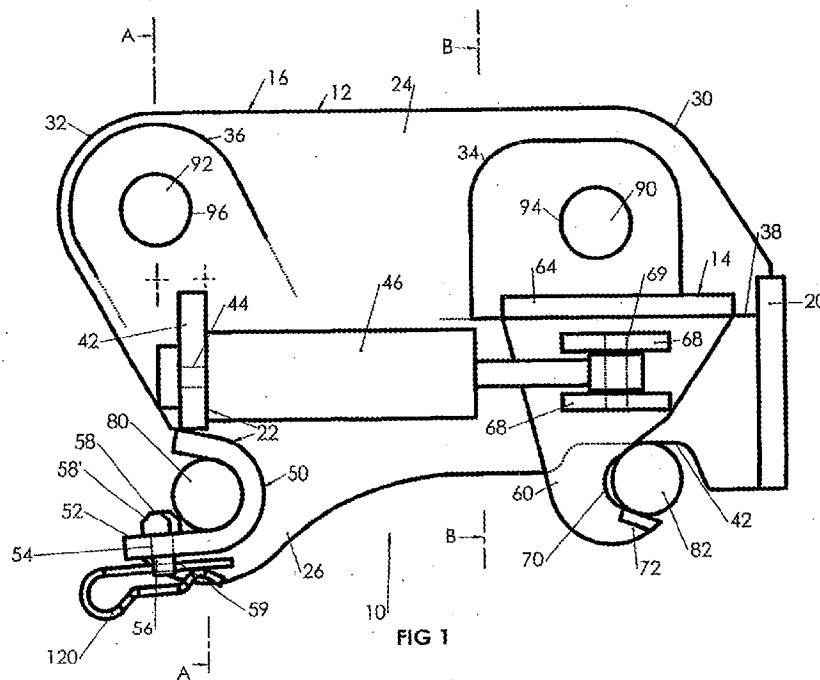
Claim 24 has been amended to more clearly define the location of the passage in relation to the recess, and by stating that the head of the retaining abuts the connecting pin. Claim 30 has been amended to include the feature of biasing means. Claim 31 has been amended to broaden the term "ram" to "actuator" and to include the actuator in the claim. New claim 33 introduces the retaining pin as a part of the apparatus, and new claim 34 describes a feature of the pin. New claims 35-40 (including new independent claim 35) are similar to claims 30 to 32 but describe the retaining pin as a latching means and use alternative language to describe this feature.

No new matter is believed to be added to the application by this amendment.

Rejection Over MELANDER

Claims 24-29 have been rejected under 35 USC §102(b) as being anticipated by MELANDER (U.S. Patent 6,431,785). This rejection is respectfully traversed.

The present invention pertains to an apparatus for connecting an implement to a prime mover. The present invention includes technology that can retain a connecting pin in a recess in the event of removal or failure of a retainer. The present invention is illustrated, by way of example, in Figure 1 of the application, which is reproduced below.



Independent claim 24 of the present invention defines the present invention in relation to the shape and location of the passage (54) through which the retaining pin (56) is

inserted. Instant claim 24 has been amended to more clearly define the location of the passage in relation to the recess, and by stating that the head of the retaining abuts the connecting pin.

MELANDER pertains to a quick coupler for attaching a tool. The Office Action refers to Figure 1 of MELANDER, which is reproduced below.

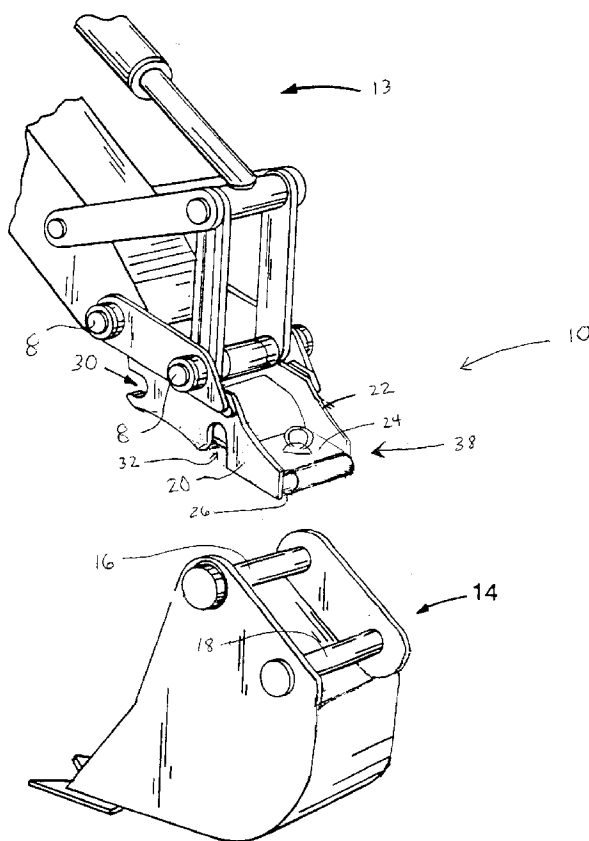


FIG. 1

MELANDER describes a connector having a passage for a retaining pin. The configuration of the MELANDER coupler is clearly different to the present invention. MELANDER uses a

sliding plate as the primary retaining feature in his coupler. The retaining pin in MELANDER is used to hold this primary retaining feature in place.

In contrast, in the present invention the retaining pin is a secondary locking feature, and is quite distinct and separated from a primary retaining feature. However, the Office Action has interpreted the previous claim 24 as being broad enough to include the configuration described in MELANDER.

However, in the configuration described by MELANDER the head of the retaining pin itself is not used to retain the connecting pin of the implement. It is situated some distance from the connecting pin and it is the tail portion of the pin that acts to retain the sliding plate. The sliding plate in turn retains the connecting pin.

For this reason, the term *"head portion substantially abutting the connecting pin"* is now set forth in instant claim 24 of the present invention to more clearly differentiate the present invention from that described by MELANDER.

In addition the location of the passage has been more clearly defined. The description of the location is changed from *"adjacent to the at least one recess"* to *"immediately adjacent a mouth of the at least one recess"*. This change provides a second tangible distinction between the present invention and MELANDER.

As a result, MELANDER does not disclose each and every limitation of claim 24 of the present invention. MELANDER thus

does not anticipate claim 24 of the present invention. The claims depending upon claim 24 are patentable over MELANDER for at least the above reasons.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

Rejection Over FATEMI

Claims 30-32 have been rejected under 35 USC §102(b) as being unpatentable over FATEMI (U.S. Patent 6,691,438). This rejection is respectfully traversed.

Independent claim 30 sets forth the relation of the retractable pin (60), which is described with reference to Figure 6, which is reproduced below.

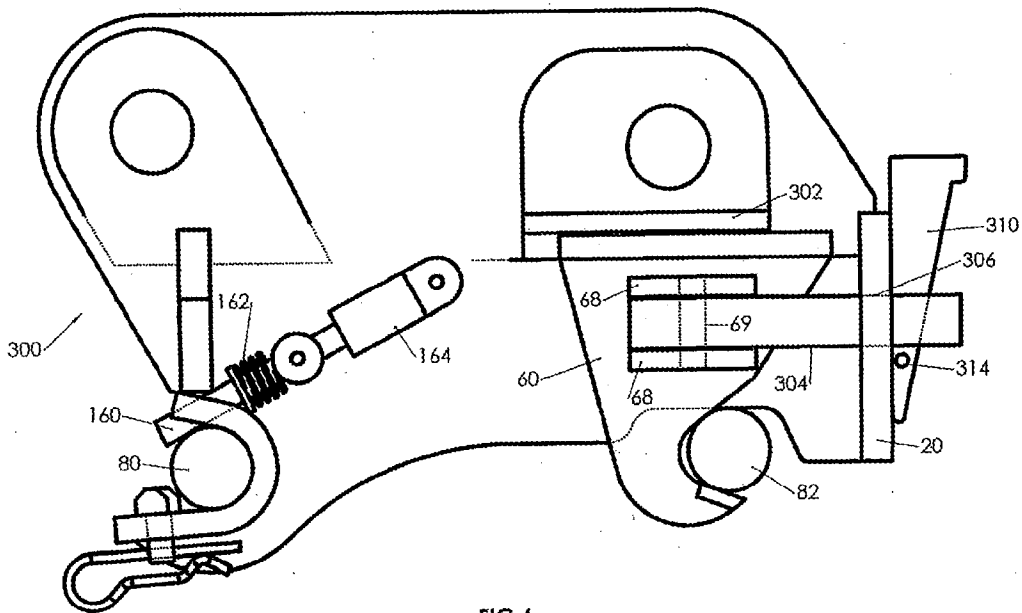


FIG 6

Independent claim 30 is directed at the configuration of the retractable pin (160) which is described with reference to Figure 6 (see above). This retractable pin is aligned such that

the connector pin can push it back toward a retracted position as it enters the recess but it is not able to do the same once it is within the recess.

Claim 30 has been amended to include the feature of the biasing means. The biasing means is one of the distinctive features of the present invention.

The present invention thus sets forth a coupler having a primary retaining means, and in addition having a secondary retaining system to hold the implement attached to the coupler in a case where the primary retaining means fails. Claim 30 is directed to this secondary retaining system.

The coupler of FATEMI can be seen in Figure 3 of the reference (referred to in the Office Action), which is reproduced below.

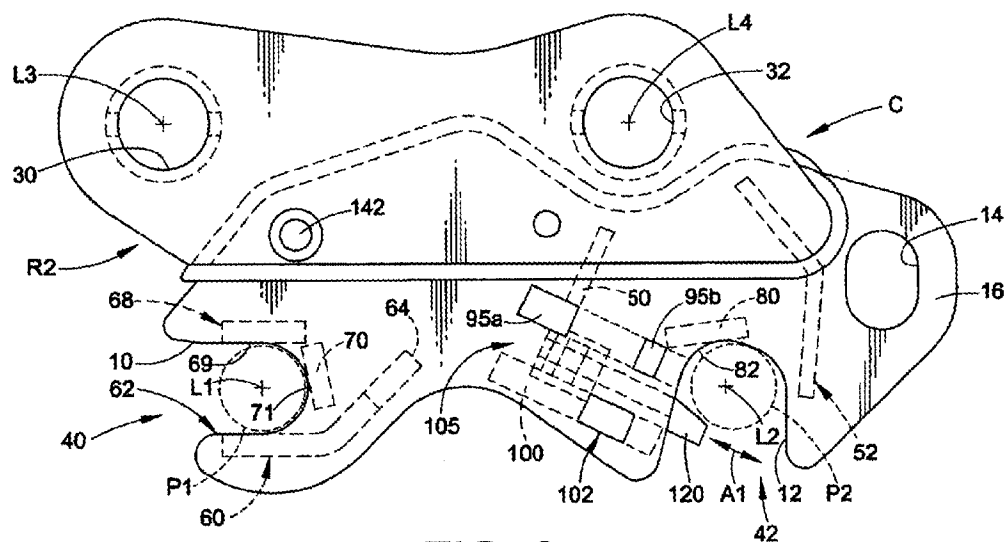


FIG. 3

In contrast, FATEMI describes a sliding retaining pin, or lock member 120, which is used as a primary retaining system. The lock member 120 is described as being *"selectably movable from the extended position to a retracted position"* (column 5, line 67 to column 6, line 1). It is later described as being movable *"manually or by fluid power or electro-mechanical means, e.g., by a lever, a ball-screw, a fluid cylinder, a solenoid, or other suitable and convenient actuation means"* (column 6, lines 12 to 15).

The lock member 120 is only described as being moved manually or by an actuator. FATEMI does not teach the concept of an automatic locking member which is configured to allow a connecting pin into a recess, and to block its exit from the recess without the intervention of manual or actuated movement of the lock member 120.

In addition, FATEMI does not teach the use of a biasing means, for example, a spring. It is the biasing means of the present invention that ensures that the retaining member 160 returns to the extended position after the connecting pin has passed into the recess.

For these reasons, instant claim 30 clearly distinguishes the present invention from the teachings of FATEMI. FATEMI does not teach the concept of a "primary" retaining means used in combination with a separate "secondary" retaining member that is automatically set and which provides a failsafe retention

system. In addition, FATEMI does not teach the use of a biasing means to automatically set the retaining member without the need for manual or actuated movement of the retaining member.

As a result, FATEMI does not disclose each and every limitation of claim 30 of the present invention. FATEMI thus does not anticipate claim 30 of the present invention. The claims depending upon claim 30 are patentable over FATEMI for at least the above reasons.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

New Claims 33-40

It is believed that new claims 33-40 are patentable over the art of record for at least the above reasons.

Conclusion

Prior art cited but not utilized is believed to be non-pertinent to the instant claims.

The rejections are believed to have been overcome, obviated or rendered moot, and no issues remain. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Robert E. Goozner/
Robert E. Goozner, Reg. No. 42,593
Customer No. 00466
209 Madison Street, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

REG/lrs